with federal funds in the late 1960's. In 1969 and 1970, LEAA funded a project called SEARCH or System for Electronic Analysis and Retrieval of Criminal Histories. Project SEARCH brought together law enforcement representatives and computer experts from several states and tested the concept of a data bank using information about 10,000 offenders in the state of Michigan. Project SEARCH concluded that such data banks were feasible but that, on a national scale, they should consist of a decentralized system, with states controlling their files but able to query each other about individuals (or the FBI about federal offenders) through a national "pointer" system that would indicate which states had a particular individual in their files.

In 1970, the FBI was authorized to implement a CCH system, and, since it already was keeping computerized records on stolen boats, cars, and the like in NCIC, the CCH was married to it. But the FBI also decided to have the states duplicate their records in Washington, so that other states seeking information would query Washington instead of each other.

But state criminal records vary notoriously both in form and in substance; what some call petty theft, others call grand larceny, and so on. Many states' files are in plain manila folders; others are converting theirs to computers. For the sake of uniformity and efficiency, therefore, the FBI laid down strict guidelines on what sort of information could be entered in the national CCH file. Besides uniformity, the result has brought the states added work, trouble, and expense.

Forty-eight states can get information from the system because a suitably programmed terminal is relatively cheap. But the cost of entering records, even when underwritten by LEAA grants, is very great. For example, the Arizona Department of Public Safety began entering records into the national file in 1970, but "right away fell behind," according to a spokesman. To date, after the expenditure of more than an estimated $300,000 in federal grants, and even more in state funds, records of only 40,000 of Arizona's 400,000 known offenders have been filed in the CCH. Thus, the cost per record has been upwards of $7.50.

Such costs have been one reason that state participation in the CCH has been so slight. Kelley's 1976 memorandum said that of the eight participating states, neither Arizona, California, Illinois, Nebraska, North Carolina, nor Virginia was "fully participating." He wrote, "Florida, and possibly Michigan, are the only states that approach full participation."

As a result, the CCH has limitations as a law enforcement tool. Arizona, for example, has common borders with five states, but of them only California enters its records into the CCH. Therefore, to check on a suspect who may have just driven or flown into the state, Arizona must not only query CCH, but it also must telephone, radio, or write to Nevada, Utah, Colorado, and Texas.

Kelley's memo said that "The intergovernmental problems are legion" with CCH. He explained that, besides the states, the courts and correctional institutions around the country had been reluctant to participate. These number in the thousands and are accustomed to considerable autonomy in their affairs."

The effect of slight court and corrections participation, however, is that many of the criminal histories in the central file are out of date. For example, in 1975, a U.S. District Court Judge in Nevada threw out a case against a hitchhiker whom Nevada police had searched, after their query to NCIC turned up information that he was wanted in California on a parole violation. Subsequently, the police found a shotgun among his possessions and charged him with illegal possession.

But the NCIC file was out of date; the man had in fact satisfied his parole requirements months before. The judge's decision noted that, during the 5 months in which the NCIC computer recorded him as "wanted," the defendant was a "marked man" to law enforcement officials all around the country.

"This type of infringement of the rights of the defendant, perpetuated mainly with the assistance of a mindless automaton controlled by the government, cannot be tolerated," the judge's decision said.

(However, simply making all courts, correctional authorities, and police play ball with the NCIC may not solve the system's problems. Close observers of the system say that its cost to date of approximately $45 million, together with the large size of the existing CCH file, has come as an unpleasant shock to the FBI. Expanding the file to truly national dimensions would cost more than seven times this amount. It was for this, as well

Crime Computer Abused

Paradoxically, one of the chief goals of a computerized criminal file, namely, the ease of access to the file by police around the country, also makes such a system vulnerable to abuse. News accounts have reported several instances when information in the largest of these data banks, the National Crime Information Center (NCIC) of the Federal Bureau of Investigation (FBI), was passed to the wrong people.

In one case, Connecticut State Police, following complaints by a local civil liberties group, admitted to having supplied defense contractors with information on individuals from the NCIC computer in Washington, which has terminals in Connecticut and 47 other states. In another case, a nationwide private investigative firm, Factual Services Bureau, Inc., was found to have employed a number of deceits to induce police with access to the computer terminals to retrieve information from the FBI files. Factual Service Bureau representatives impersonated neighboring policemen, among other ruses, to get information for the company's insurance company clients.

Dale Tooley, the Denver district attorney who prosecuted some of the Factual Service Bureau cases noted how hard it is for police, who are already harried with other business, to check up on or keep records of requests for information: "When you have 40,000 arrests a year and thousands of small enforcement agencies contacting major police departments for information like this every day, it is impossible to keep records," Tooley said in an interview with *Computerworld* newspaper.

Present problems of unauthorized use are expected to multiply as the NCIC grows. At present, it has approximately 500 terminals around the country. When complete, it could have as many as 17,000. Clearly the security of access to all those keyboards will pose something of a problem, and put civil liberties advocates—who already dislike the NCIC—even more on their guard.—D.S.

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